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November 24, 2021

VIA ECF

Hon. Lorna G. Schofield, U.S.D.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Kenneth Hennrick, M.D. v. miR Scientific, LLC*, Case No. 1:21-cv-04945 (LGS)

Dear Judge Schofield:

We represent Defendant miR Scientific, LLC (“miR Scientific”) in the above action. We submit this letter motion to request a discovery extension.

The current discovery end-date is December 3, 2021 for discovery regarding the cause of Plaintiff’s termination only. (ECF 23). We seek an extension of discovery regarding the cause of Plaintiff’s termination until January 14, 2021. This is the first request for a discovery extension in this matter.

We seek this discovery extension due to the complexity of collecting electronic discovery for review and production. Plaintiff served his discovery requests on October 17, 2021, which did not leave miR Scientific with much time to complete its collection and review of electronic correspondence before the impending discovery deadline. miR Scientific has been diligently working to respond to Plaintiff’s discovery requests.

Counsel for miR Scientific and Plaintiff’s counsel spoke on November 17, 2021, and the parties agreed to providing miR Scientific to until December 15 to respond to Plaintiff’s discovery requests, and that the upcoming holidays necessitated seeking until January 14, 2021 to complete this discovery. Plaintiff’s counsel verbally consented to the request, and subsequently filed a pre-motion letter seeking to compel miR Scientific’s discovery requests because miR Scientific did not send the letter request to counsel to review within the specified timeframe. (ECF 38). Therefore, miR Scientific believes Plaintiff’s counsel consents to the request—he has provided no basis for any refusal to consent.

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We thank Your Honor for your time and attention to this matter, and are available to should Your Honor require any additional information.

Respectfully submitted,


/s/ Eric A. Savage

Eric A. Savage

cc: All counsel of record via ECF

Plaintiff's motion for a discovery pre-motion conference (Dkt. No. 38) is **DENIED** without prejudice to renewal. Defendant's motion for extension of time to complete discovery (Dkt. No. 41) is **GRANTED**. The deadline for fact discovery is extended to **January 14, 2022**. A revised civil case management plan will issue separately. The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 38 and 41.

Dated: November 29, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE